IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8877 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

VIRCHANDJI C THAKORE

Versus

COLLECTOR OF AHMEDABAD CITY

Appearance:

MR ARUN H MEHTA for Petitioner

MR LR POOJARI, AGP. for Respondent Nos. 1, 2

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 27/04/2000

ORAL JUDGEMENT

This petition under Articles 226 and 227 of the Constitution of India is directed against the order No.CB-LND-K-3403 dated 26.11.1992 passed by the Collector, District Ahmedabad which was sent to the

petitioner on 30.11.1992. The said order was passed against seven persons including the petitioner. One Govaji Bapuji was also one of them. He filed a revision application before the Government against the same order. The learned Assistant Government Pleader produces a copy of the order dated 12.1.1994 passed by the Secretary, Revenue (Appeals) which shows that the revision application was partly allowed and the order of the Collector dated 26.11.1992 and the subsequent order of the City Deputy Collector dated 15.12.1992 were set aside and the matter was remanded to City Assistant Collector for him to decide the matter in accordance with the directions given by this Court in SCA No.3535/91. Thus, the order of the Collector which has been challenged in this petition has already been set aside by the Secretary, Revenue (Appeals) at the instance of another person who was affected by the same order. Hence the present petition does not survive and has become infructuous. The petition is therefore disposed of accordingly. Rule discharged. No order as to costs.

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m.m.bhatt